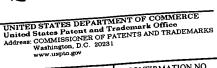


United States Patent and Trademark Office



CONFIRMATION NO. ATTORNEY DOCKET NO. FIRST NAMED INVENTOR 8545 FILING DATE 0819-0592 APPLICATION NO. Shigeo Yoshii 07/02/2001 09/895,213 EXAMINER 05/07/2002 7590 22204 MONDT, JOHANNES P NIXON PEABODY, LLP 8180 GREENSBORO DRIVE PAPER NUMBER ART UNIT SUITE 800 MCLEAN, VA 22102 2826

DATE MAILED: 05/07/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)	1
		09/895,213	YOSHII ET AL.	
	- Astion Summan/	Examiner	Art Unit	
	Office Action Summary	11	2826	
	iontion and	pears on the cover shee	t with the correspondence addre	ess
The MAILING DATE of this communication appears on the cover sheet with the correspondence address				
Period for Reply Period for Reply Period For Reply IS SET TO EXPIRE 1 MONTH(S) FROM				
THE MA - Extension - Extension - If the period - If NO period - Failure - Any rep - earned	ALLING DATE OF THIS described by a variable under the provisions of 37 CFR 1. (6) MONTHS from the mailing date of this communication. (6) MONTHS from the mailing date of this communication. (7) Generally specified above is less than thirty (30) days, a reperiod for reply is specified above, the maximum statutory period for reply within the set or extended period for reply will, by statutive received by the Office later than three months after the mailing patent term adjustment. See 37 CFR 1.704(b).	136(a). In no event, nowever, many within the statutory minimum will apply and will expire SIX (6) te, cause the application to becoing date of this communication, e	of thirty (30) days will be considered timely. MONTHS from the mailing date of this comi	munication.
1)	Responsive to communication(s) filed on			
2a)□	This action is FINAL . 2b)⊠ [¬]	his action is non-indi-	n matters prosecution as to the	e merits is
3) Since this application is in condition for allowance except to the state of the				
1 _	and in the application and the application in the a	ion.	Na	
1	4a) Of the above claim(s) is/are witho	rawn from consideration	111.	
5)□	Claim(s) is/are allowed.			
6)[]	Claim(s) is/are rejected.			
·	is/are objected to.		t	
7) ☐ Claim(s) is/arc objects 8) ☐ Claim(s) 1-11 are subject to restriction and/or election requirement.				
Application Papers				
9) The specification is objected to by the Examiner.				
10) The drawing(s) filed on is/are: a) accepted of 5) and the held in abeyance. See 37 CFR 1.85(a).				
Applicant may not request that any objection to the drawing(s) be field in abeytines. Applicant may not request that any objection to the drawing(s) be field in abeytines. 11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner.				
11) The proposed drawing correction filed on is a full state of this Office action.				
Is approved, corrected drawings are required in the province i				
12) The oath or declaration is objected to by the Examiner.				
Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).				
13) Acknowledgment is made of a claim to follow.				
a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received.				
 1. Certified copies of the priority documents have been received in Application No 2. Certified copies of the priority documents have been received in this National Stage 3. Copies of the certified copies of the priority documents have been received in this National Stage 3. Copies of the certified copies of the priority documents have been received in this National Stage 				nal Stage
	Application (10) the internal		spine not receiveu.	
		imestic profits and of	• • • •	nai application
14)[☐ Acknowledgment is made of a Gain for each a)☐ The translation of the foreign langua☐ Acknowledgment is made of a claim for d	ge provisional applicat	ion has been received. 35 U.S.C. §§ 120 and/or 121.	
15)	☐ Acknowledgment is made of a claim for d	,0,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		
Attach	ment(s)	4)	7 (PTO-413) Pape	r No(s) ·
	Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO- Information Disclosure Statement(s) (PTO-1449) Paper	948) 5)	Notice of Informal Patent Application Other:	
1		Office Action Summary		Part of Paper No. 8

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DETAILED ACTION

Election/Restrictions

1. This application contains claims directed to the following patentably distinct species of the claimed invention: the first Embodiment (Figures 1-2); second Embodiment (Figure 3); third Embodiment (Figures 4-6); fourth Embodiment (Figure 7); fifth Embodiment (Figure 8-9a); sixth Embodiment (Figures 10-14); seventh Embodiment (Figure 15); and eighth Embodiment (Figure 16).

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claims seem to be generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

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Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Johannes P Mondt whose telephone number is 703-306-0531. The examiner can normally be reached on 8:00 - 18:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J Flynn can be reached on 703-308-6601. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7722 for regular communications and 703-308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

JPM May 5, 2002 NATHAN J. FLYNN SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 2800